

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 19 and 20 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are now pending in this application.

### **Rejection under 35 U.S.C. § 102**

Claims 9-14, 17, and 18 are rejected under 35 U.S.C. § 102(a) as being anticipated by Applicant's Admitted Prior Art (AAPA). This rejection is respectfully traversed.

Amended claim 9 recites a manufacturing apparatus of an endless metal belt having metal rings built up and differing in circumference that includes "a machine to perform a first circumference correction on one of the metal rings under non-rolling working and a second circumference correction on the metal ring, wherein the first circumference correction and the second circumference correction expand the metal ring" and a heat treatment device to perform a solution heat treatment on the metal ring, "wherein the machine to perform the first circumference correction and the second circumference correction is adapted to perform the second circumference correction after a solution heat treatment has been performed by the heat treatment device." Amended claim 17 includes similar language.

The Office alleges that pages 1 and 2 of the specification serve as AAPA that anticipates the claimed apparatus. However, pages 1 and 2 of the specification do not disclose a manufacturing apparatus of an endless metal belt having metal rings built up and differing in circumference that includes "a machine to perform a first circumference correction on one of the metal rings under non-rolling working." For example, on page 1, lines 16-18, "...a rolling step for forming a metal ring having a fixed thickness and a fixed

circumference” is disclosed. However, the specification does not disclose a manufacturing apparatus of an endless metal belt having metal rings built up and differing in circumference that includes “a machine to perform a first circumference correction on one of the metal rings under non-rolling working.”

By providing a first circumference correction under non-rolling working, an expansion quantity for setting the circumference of the metal ring to a predetermined amount is partially attained. Residual stress introduced into the metal by the first circumference correction is then eliminated by the solution heat treatment on the metal ring. This allows the expansion quantity required for the second circumference correction to be small in order to set the circumference of the metal ring to the predetermined length. When a large expansion of a metal ring is required for a circumference correction operation, a large contraction occurs in the metal ring because of residual stress and recovered elastic deformation that occurs after the circumference correction operation. This creates difficulty in maintaining the accuracy of the circumference of the metal ring. This also holds true for a plurality of circumference correction operations that use small expansion quantities for each operation because the metal ring is contracted by recovered elastic deformation after the plurality of circumference correction operations.

The applicants’ invention permits the expansion quantity of the second circumference correction to be small. Because the expansion quantity required for the second circumference correction is small, the contraction quantity of the metal ring after the second circumference correction is also small, thereby improving the accuracy of the circumference of the metal ring.

For at least the reasons discussed above, withdrawal of this rejection is respectfully requested.

**Rejections under 35 U.S.C. § 103**

Claims 15 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of U.S. Patent No. 6,631,542 (hereafter “Imai et al.”) and U.S. Patent No. 3,892,344 (hereafter “Corse”). This rejection is respectfully traversed. Imai et al. and Corse fail to remedy the deficiencies of the alleged AAPA. The Office relies upon Imai et al. and

Corse to provide a circumference measurement section. See Office Action at page 3.

Withdrawal of this rejection is respectfully requested.

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Imai et al. and Corse as applied as claim 15, further in view of JP 61-82910. This rejection is respectfully traversed. JP 61-82910 fails to remedy the deficiencies of the alleged AAPA, Imai et al., and Corse. Withdrawal of this rejection is respectfully requested.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

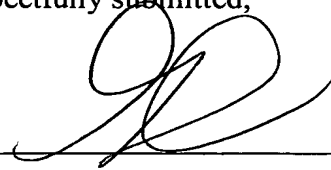
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

4/17/09

By



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